

**EDUCATION DEPARTMENT[281]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 23, “Adult Education,” Iowa Administrative Code.

The amendment in Item 1 is needed because the state advisory council no longer exists. It was initially required by federal law, but that requirement was removed by the passage of the Workforce Investment Act of 1998, P.L. 105-220. The change in Item 2 ensures that the rule conforms to actual practice.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the December 16, 2009, Iowa Administrative Bulletin as **ARC 8389B**. A public hearing was held on January 12, 2010, and public comments were allowed until 4:30 p.m. on January 12, 2010. No written or oral comments were received.

These amendments are identical to those published under Notice.

These amendments are intended to implement Iowa Code chapter 260C.

These amendments will become effective on May 12, 2010.

The following amendments are adopted.

ITEM 1. Amend rule 281—23.1(260C) as follows:

**281—23.1(260C) Planning process.**

**23.1(1)** No change.

~~**23.1(2)** *State advisory council.* A state advisory council shall be established for adult education as determined by the director of the department of education and shall be appointed by the director and composed of 15 members, one from each community college district representing a cross section of the population of the state. The council shall meet at regularly scheduled times. The actual cost of meals and lodging for the advisory council shall be paid by the department of education. Expenses for travel will be reimbursed at the allowable state rate. Each meeting shall be open to the public.~~

~~**23.1(3)**~~ **23.1(2)** *Participatory planning committee.* The department of education shall involve a participatory planning committee in the development of the plan. The participatory planning committee shall include representatives of various agencies, groups, and organizations. The state plan shall provide for the selection of representatives and the manner in which the representatives will be involved in the development of the state plan. If the participatory planning committee is not able to agree upon a final plan, the department of education shall make the final decision. The state plan shall include notation of recommendations rejected and the reason for the rejection.

ITEM 2. Amend rule 281—23.2(260C) as follows:

**281—23.2(260C) Final plan.** The final plan ~~after approval by all parties concerned~~ shall be approved by the state board of education and implemented statewide. A copy of the final plan shall be made available to all individuals in the state upon request to the department of education.

[Filed 3/11/10, effective 5/12/10]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 4/7/10.